

PUBLIC SERVICE COMMISSION OF WISCONSIN

Minutes and Informal Instructions of the Open Meeting of
Thursday, March 5, 2009

The Public Service Commission of Wisconsin (Commission) met as noticed. Present were Chairperson Callisto, Commissioner Meyer, and Commissioner Azar (telephonically).

Minutes

The Commission approved the minutes of the Open Meetings of Friday, February 13, 2009, and Friday, February 20, 2009.

3000-ER-103 – Application of the City of Lake Mills, Jefferson County, Wisconsin, as an Electric Public Utility, for Authority to Increase Electric Rates

The Commission approved the Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

4220-CE-170 – Application of Northern States Power Company-Wisconsin for Authority to Construct and Place in Service a New Substation, Known as Three Lakes Substation, in the Town of Warren, St. Croix County, Wisconsin

The Commission approved the Notice of Investigation and directed it be signed by the Secretary to the Commission on behalf of the Commission.

2850-WR-101 – Application of the City of Kiel Utilities, Manitowoc and Calumet Counties, Wisconsin, for Authority to Increase Water Rates

The Commission approved the Notice of Proceeding and Telephonic Hearing and directed it be signed by the Secretary to the Commission on behalf of the Commission.

5-AE-181 – Application for Approval of an Affiliated Interest Agreement Between Wisconsin Power and Light Company and American Transmission Company LLC Relating to the Bristol and West Darien Substations

The Commission approved the Final Decision and directed it be signed by the Secretary to the Commission on behalf of the Commission.

6690 – Request by Wisconsin Public Service Corporation for Commission Approval of a Negotiated Rate Contract for Natural Gas Service with the Kohler Company

The Commission approved the request filed on behalf of Wisconsin Public Service Corporation for a negotiated rate contract with the Kohler Company for a ten-year term.

The Commission directed the Gas and Energy Division to draft an order consistent with its discussion.

2815-TI-105 – Application of CenturyTel of the Midwest-Kendall, LLC, for Approval of an Alternative Regulation Plan

Disposition of Requests for Hearing by Verizon and Telephone Associates

The Commission denied the request for hearing filed on behalf of Telephone Associates, Inc.

The Commission denied the request for hearing filed on behalf of MCImetro Access Transmission Services, LLC, d/b/a Verizon Access Transmission Services, and MCI Communications Services, Inc., d/b/a Verizon Services, Inc. (Verizon), under Wis. Stat. § 227.42.

The Commission determined, on its own motion, to construe Verizon's motion as a request for hearing under Wis. Stat. § 196.195(12). If Verizon is granted intervenor status, the Commission delegated authority to the Administrator of the Telecommunications Division to grant or waive the hearing request and authority to determine the issues that may be heard if a hearing is granted.

The Commission directed the Telecommunications Division to draft an order consistent with its discussion.

5450-109292 – Complaint filed by Mrs. Celia Stevenson Against the Village of Shorewood Hills Water Utility

The Commission determined that the request filed by Mrs. Celia Stevenson for a formal investigation of her complaint against the Village of Shorewood Hills Water Utility, related to Mrs. Stevenson's claim that the utility did not accurately bill her for actual water usage which passed through her water meter, is without merit.

The Commission directed the Division of Water, Compliance and Consumer Affairs to draft an order consistent with its discussion.

6630-116725 – Complaint filed by Candice Luebke of Geri-Care Cabin, LLC Against Wisconsin Electric Power Company, d/b/a We Energies

The Commission determined that the request filed by Ms. Candice Luebke for a formal investigation of her complaint against We Energies, related to the threatened disconnection of service at Geri-Care Cabin, LLC, for non-payment of a final bill that transferred from a closed account for Geri-Care Cottage, Inc., is without merit.

The Commission directed the Division of Water, Compliance and Consumer Affairs to draft an order consistent with its discussion.

CLOSED SESSION – The Commission recessed the open meeting, went into closed session under Wis. Stat. § 19.85(1)(g) to discuss the litigation matters noted below with legal counsel, and reconvened the open meeting pursuant to Wis. Stat. § 19.85(2).

Commissioner Meyer moved, pursuant to Wis. Stat. § 19.85(1)(g), that the Commission convene in closed session to discuss the litigation matters noted below with counsel. Commissioner Azar seconded the motion. The motion was carried and the Commission went into closed session.

After a discussion in closed session, the Commission reconvened in open session.

Discussion of filing a notice of intervention and draft comments in the *Application of Green Power Express, LP*, FERC Docket No. ER09-681

The Commission directed staff to prepare and file a notice of intervention and comments with the Federal Energy Regulatory Commission in the *Application of Green Power Express, LP*, consistent with its discussion.

Discussion of filing an *amicus curiae* brief in *American Transmission Co., LLC v. Dane County*, Fourth District Court of Appeals Case No. 2008AP2604

The Commission directed staff to prepare and file an *amicus curiae* brief with the Fourth District Court of Appeals in *American Transmission Co., LLC, v. Dane County*, consistent with its discussion.

The Commission adjourned the meeting at 3:25 p.m.